

STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LAKE ENTERPRISES, INC.
6441 SW CANYON CT, STE 280
PORTLAND OR 97221

confirms the right to store water perfected under the terms of Permit R-11223. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-70181

SOURCE: GARRETT CREEK, A TRIBUTARY OF ROCK CREEK

STORAGE FACILITY: RESERVOIR

PURPOSE or USE: MAINTAINED UNDER PERMIT G-11029 FOR FISH REARING

MAXIMUM STORAGE VOLUME: 74.9 ACRE FEET

DATE OF PRIORITY: JANUARY 29, 1990

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
5 S	1 E	WM	23	SW SW	440 FEET NORTH & 750 FEET EAST FROM SW CORNER, SECTION 23

The area submerged by this reservoir is as follows:

FISH REARING				
Twp	Rng	Mer	Sec	Q-Q
5 S	1 E	WM	23	NW SW
5 S	1 E	WM	23	SW SW

The structure shall be maintained in accordance with the approved plans and specifications and with the design intent.

The outlet gate shall be cycled at least once each year in order to assure smooth operation.

The embankment and spillway channel shall be kept clear of trees and brush and other debris.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

The embankment shall be kept free of burrowing animals.

The storage of water allowed herein is subject to the maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Director to satisfy prior downstream rights.

Diversion screening or fish passage facilities shall be designed, installed and operated to Oregon Department of Fish and Wildlife specifications.


Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The storage of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued JAN 29 2010


Phillip C. Ward, Director
Water Resources Department